



02 OCT 2006

BROOKS KUSHMAN P.C.  
1000 TOWN CENTER  
TWENTY-SECOND FLOOR  
SOUTHFIELD, MI 48075

In re Application of	:	
MILSTEIN, Cesar et al.	:	DECISION ON
Application No.: 10/506,906	:	
PCT No.: PCT/GB03/00974	:	REQUEST
Int. Filing Date: 07 March 2003	:	
Priority Date: 07 March 2002	:	UNDER 37 CFR 1.42
Attorney's Docket No.: DYC0101PUSA	:	
For: SCD FINGERPRINTS	:	

This is a decision on applicants' "Renewed Submission Under 37 CFR 1.42," filed in the United States Patent and Trademark Office on 27 June 2006.

### **BACKGROUND**

On 28 April 2006, the Office mailed a Decision On Request Under 37 CFR 1.42 and Petition Under 37 CFR 1.182, refusing the request and granting the petition.

On 27 June 2006, applicants submitted this renewed request under 37 CFR 1.42.

### **DISCUSSION**

Under 35 U.S.C. §117, legal representatives of deceased inventors may make application for patent upon compliance with the requirements and on the same terms and conditions applicable to the inventor. The "legal representative (executor, administrator, etc.) of the deceased inventor may make the necessary oath or declaration, and apply for and obtain the patent." 37 CFR 1.42.

On 23 May 2005, applicants submitted a declaration of the inventors, executed by the inventors and the legal representative of Mr. Milstein. The declaration appeared to list the information for the inventors, including the Cesar Milstein, but did not list the required information for the legal representative, Ms. Celia Prilleltensky Milstein. The 27 June 2006 declaration satisfies the remaining requirements in 37 CFR 1.497(a)-(b) and 37 CFR 1.42.

### **CONCLUSION**

For the above reasons, the request for status under 37 CFR 1.42 is **GRANTED**.

The petition under 37 CFR 1.182 is **GRANTED**.

This application is being forwarded to the National Stage Processing Division of the Office of PCT Operations for further action consistent with this decision. The application has a35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date of 27 June 2006.

*Erin P. Thomson*

Erin P. Thomson  
Attorney Advisor  
PCT Legal Administration

Telephone: (571)272-3292  
Facsimile: (571)273-0459